

REGULAR CITY COUNCIL MEETING  
JULY 7, 1986

PRESENT

Ruth Hansen  
Craig Greathouse  
Don Dafoe  
David Church  
Gayle Bunker  
Neil Dutson

Mayor  
Council Member  
Council Member  
Council Member  
Council Member  
Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery  
Warren Peterson  
Roger Young  
Bob Thomas  
Darrel Lester  
Sherm Peterson  
Jessie Petersen  
Joyce Jensen  
Lee Jensen  
Howard Church  
Mary J. Church  
Janet McDermid  
Marilyn Griffin  
Mary Jeffery  
Dain Church  
Robert Dalton  
Rosemary Forster  
Debbie Knezovich  
Twila Marnin  
Maria Gunn  
Audrey Kennedy  
Vicki Southam  
Donald D. Stemer  
Francis Marnin  
Robert Woolsey  
Betty Ross  
Becky Odle  
Daniel P. Jenny  
Steve Riding  
Jim Robson  
Roy E. Barraclough  
Bob Riding  
H. Doyle Bender

City Recorder  
City Attorney  
Chief of Police  
Chronicle/Progress  
KNAK Radio Station  
Plaza Lanes & Petersen's Service  
Plaza Lanes  
Plaza Lanes  
Plaza Lanes  
Intermountain Farmers

Plaza Lanes  
Plaza Pub

City Resident  
Plaza Pub  
City Resident

City Treasurer

Susan Callister	Assistant Recorder
Nancy Rickard	
Joe Stewart	City Resident
Ben Morrill	City Resident
Robert Droubay	City Resident
Martin Ludwig	City Resident
Don C. Morris	
Robert Pendray	Plaza Lanes
Cecil Losee	City Resident
Harold W. Huddleston	
Carla M. Huddleston	
Deborah Fortner	
Micki Gerdes	
Dave Houston	City Resident

Mayor Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda were posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

#### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member David Church MOVED that the accounts payable be approved for payment, as listed, in the amount of \$23,321.08, holding payment of the video equipment for the Police Department until the equipment has been installed. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

#### ROBERT/JIM PENDRAY: DISCUSSION OF BEER LICENSE ORDINANCE

Mayor Hansen requested Jim Pendray at Plaza Lanes to present his request to the Council.

Mayor Hansen first explained that Plaza Lanes was issued a Cease and Desist Order because they were in violation of Section 9-432.M of the Revised Code of Ordinances of Delta City (1981 edition), as amended, in that persons under the age of twenty-one (21) years have been allowed to be present in a room or part of the building within the licensed premises in which alcoholic beverages were served or being consumed and in which coin operated amusement devices (video games) are operated or are available for operation.

Mr. Pendray requested that the Council revise the ordinance that prohibits underage persons to operate video games in a room where alcoholic beverages are being served or consumed, allowing them to continue to do business as they have for the past four years. Mr. Pendray said that the video machines have been taken out of the bowling alley (in response to the cease and desist order) and stated that they have complied with everything the City has asked them to do. He asked the Council to consider revision of the new existing ordinance.

Mayor Hansen asked for comments from those in attendance. Vicki Southam, former Plaza Lanes employee, said that she feels that there has not been a problem in having video games in the Plaza Lanes. Ms. Southam submitted a petition to Mayor Hansen. The petition called for beer sales to be allowed at Plaza Lanes and did not address the purpose of the cease and desist order.

Cecil Losee said that he has been out to Plaza Lanes and said that he feels that things seem to be in control and very much in order at the Plaza Lanes and complimented Robert & Jim Pendray on their establishment. He said that he feels that the Plaza Lanes are an asset to our community and that he is not opposed to the way Pendray's are conducting their business.

Lee Jensen said that he felt the Cease and Desist Order was issued at this time and that it was due to a personality conflict between the former manager of the bowling alley, who was related to a City official, and the present management of Plaza Lanes. He spoke in opposition to the Cease and Desist Order that was issued. City Attorney Warren Peterson responded that he requested that the cease and desist order be issued because this was an ordinance violation and that he was not aware that any such conflict existed until after he had requested that the order be issued because this was an ordinance violation and that he was not aware that any such conflict existed until after he had requested that the order be issued. He said the decision to issue the order was made by him without regard to any such relationships. He said Mr. Jensen's allegations were incorrect and improper.

Jessie Petersen, Plaza Lanes Manager, said that when the video machines were in place they were located next to the front counter and were under constant observation and control. She said that having the video games available has not caused any problems.

Council Member David Church recommended that the ordinance be reviewed and studied further before any Council action is taken. The Council discussed the appointment of a committee to thoroughly review the ordinance and present possibilities and/or solutions to the now existing ordinance.

Council Member Gayle Bunker MOVED to further study the ordinance and to authorize Mayor Hansen to appoint committee members to draft an ordinance to be considered at the next regular City Council meeting. Council Member David Church SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Mayor Hansen then appointed Council Members Craig Greathouse, Neil Dutson and Gayle Bunker and Attorney Warren Peterson and Plaza Lanes Manager Jessie Petersen to serve on the committee to review and revise the now existing ordinance.

MAYOR HANSEN: CONSIDERATION OF MILLARD COUNTY'S USE OF DELTA CITY COUNCIL CHAMBERS FOR JUSTICE OF THE PEACE COURT

Mayor Hansen reminded the Council of the Millard County's request to use the Delta City Council Chambers to hold Justice of the Peace Court. She then recommended that \$10 per hour be charged to Millard County.

Following a brief discussion, Council Member David Church MOVED to charge Millard County \$10 per hour with a minimum charge of two hours per session, to be billed monthly. Council Member Gayle Bunker SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

MAYOR HANSEN: APPOINTMENT OF PLANNING COMMISSION MEMBERS AND CHAIRMAN

Mayor Hansen said that a member and a chairman need to be appointed to the Planning Commission and recommended that Ron Smith be appointed to the Planning Commission to fill a vacancy on that board.

Council Member Don Dafoe MOVED to appoint Ron Smith as a member to the Planning Commission. Council Member David Church SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Council Member Neil Dutson then MOVED to appoint Robert Droubay as Chairman of the Planning Commission to replace Jack Fowles. Council Member Gayle Bunker SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

MAYOR HANSEN: APPOINTMENT OF MEMBER TO RECREATION STUDY GROUP

Mayor Hansen said that the Millard County Commissioners held a meeting with all mayors in Millard County to discuss the possibility of forming a recreation district within Millard County that would be responsible for all of the recreation needs of Millard County. Mayor Hansen recommended that a Council member be appointed as a member to the recreation study group.

Council Member Neil Dutson MOVED to appoint Council Member Don Dafoe as a member of the County-Wide Recreation Study Committee. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

WARREN PETERSON: RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY FROM DELTA CITY TO INTERMOUNTAIN POWER AGENCY

Mayor Hansen requested Attorney Warren Peterson to present a proposed resolution authorizing conveyance of certain property from Delta City to Intermountain Power Agency.

Attorney Warren Peterson introduced a proposed resolution entitled:

RESOLUTION NO. 86-154

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELTA,  
UTAH AUTHORIZING CONVEYANCE OF SURPLUS PROPERTY FROM  
DELTA CITY TO INTERMOUNTAIN POWER AGENCY

Attorney Warren Peterson reviewed the proposed resolution in detail after which Council Member Don Dafoe MOVED to adopt Resolution No. 86-154 conveying property to Intermountain Power Agency. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

Mayor Hansen then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

ROBERT PENDRAY: CONSIDERATION OF PLANNING COMMISSION  
RECOMMENDATION ON GARDNER SUBDIVISION FINAL PLAT MAP

Mayor Hansen asked Robert Droubay to address the Council regarding the Planning Commission's recommendation on the Gardner Subdivision Final Plat.

Robert Droubay, along with Don Morris of United Farm Realty, explained that Block 83 is divided into eight lots with 70 foot frontage and Gardner's, the property owners, have requested that the existing plat map be amended to make six lots with 82.5 foot frontage each.

Mr. Droubay presented a letter from John Willie, Planning Consultant, regarding the Gardner Subdivision and reviewed it with the Council. Mr. Droubay said that the Planning Commission recommends that the City Council approve the Preliminary and Final Plat for the Gardner Subdivision, subject to any corrections by the Delta City Engineer, John Quick.

Following a brief discussion, Council Member Neil Dutson MOVED to approve the Planning Commission's recommendation on the Gardner Subdivision Plat Map subject to John Willie's comments. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

WARREN PETERSON: CONSIDERATION OF RESOLUTION ADOPTING FEDERAL  
REVENUE SHARING BUDGET FOR FY 1986-1987

Mayor Hansen requested that Attorney Warren Peterson review a proposed resolution adopting the Federal Revenue Sharing Budget for FY 1986-1987.

Attorney Peterson introduced a proposed resolution entitled:

RESOLUTION NO. 86-155

A RESOLUTION AMENDING RESOLUTION NO. 86-149 AND THE BUDGET ADOPTED THEREBY TO PROVIDE FOR AMENDMENTS TO THE FISCAL YEAR 1986-1987 BUDGET OF THE CITY OF DELTA AND THEREBY PROVIDING SPECIFIC AND SEPARATE BUDGETS FOR FEDERAL REVENUE SHARING TRUST FUNDS TO BE RECEIVED BY DELTA CITY DURING FISCAL YEAR 1986-1987.

Following a brief discussion of the resolution, Council Member Craig Greathouse MOVED to adopt Resolution No. 86-155. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

Mayor Hansen then signed the resolution and it was attested by Delta City Recorder Dorothy Jeffery.

OTHER BUSINESS

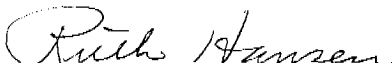
RICHARD FARNSWORTH: REQUEST FOR CLASS C BEER LICENSE

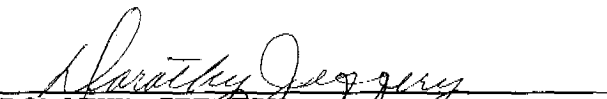
Mayor Hansen said that this item was not a regular agenda item; however, Richard Farnsworth is requesting a Class C beer license for his restaurant, Rick's Family Restaurant.

Following a brief discussion, Council Member Gayle Bunker MOVED to approve a Class C Beer License for Rick's Family Restaurant. Council Member David Church SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Attorney Warren Peterson told the Council that recent state legislation had virtually rendered the present Delta City Off-Road Vehicle Ordinance void and asked the Council if they wanted the ordinance to be redrafted. There was no action taken.

Mayor Ruth Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member David Church MOVED to adjourn the meeting. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen declared the meeting adjourned at 9:00 p.m.

  
RUTH HANSEN, Mayor

  
DOROTHY JEFFERY  
Delta City Recorder

MINUTES APPROVED: RCCM 8-04-86